



Sen. Don Harmon

Filed: 4/11/2005

09400SB2086sam002

LRB094 11574 RXD 44962 a

1 AMENDMENT TO SENATE BILL 2086

2 AMENDMENT NO. _____. Amend Senate Bill 2086, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Carbon Monoxide Alarm Detector Act.

7 Section 5. Definitions. In this Act:

8 "Approved carbon monoxide alarm" or "alarm" means a carbon
9 monoxide alarm that complies with all the requirements of the
10 rules and regulations of the Illinois State Fire Marshal, bears
11 the label of a nationally recognized testing laboratory, and
12 complies with the most recent standards of the Underwriters
13 Laboratories or the Canadian Standard Association.

14 "Dwelling unit" means a room or suite of rooms used for
15 human habitation, and includes a single family residence as
16 well as each living unit of a multiple family residence and
17 each living unit in a mixed use building.

18 Section 10. Carbon monoxide detector.

19 (a) Every dwelling unit shall be equipped with at least one
20 approved carbon monoxide alarm in an operating condition within
21 15 feet of every room used for sleeping purposes. The carbon
22 monoxide alarm may be combined with smoke detecting devices
23 provided that the combined unit complies with the respective

1 provisions of the administrative code, reference standards,
2 and departmental rules relating to both smoke detecting devices
3 and carbon monoxide alarms and provided that the combined unit
4 emits an alarm in a manner that clearly differentiates the
5 hazard.

6 (b) Every structure that contains more than one dwelling
7 unit shall contain at least one approved carbon monoxide alarm
8 in operating condition within 15 feet of every room used for
9 sleeping purposes.

10 (c) It is the responsibility of the owner of a structure to
11 supply and install all required alarms. It is the
12 responsibility of a tenant to test and to provide general
13 maintenance for the alarms within the tenant's dwelling unit or
14 rooming unit, and to notify the owner or the authorized agent
15 of the owner in writing of any deficiencies that the tenant
16 cannot correct. The owner is responsible for providing one
17 tenant per dwelling unit with written information regarding
18 alarm testing and maintenance.

19 The tenant is responsible for replacement of any required
20 batteries in the carbon monoxide alarms in the tenant's
21 dwelling unit, except that the owner shall ensure that the
22 batteries are in operating condition at the time the tenant
23 takes possession of the dwelling unit. The tenant shall provide
24 the owner or the authorized agent of the owner with access to
25 the dwelling unit to correct any deficiencies in the carbon
26 monoxide alarm that have been reported in writing to the owner
27 or the authorized agent of the owner.

28 (d) The carbon monoxide alarms required under this Act may
29 be either battery powered, plug-in with battery back-up, or
30 wired into the structure's AC power line with secondary battery
31 back-up.

32 Section 15. Violation.

33 (a) Willful failure to install or maintain in operating

1 condition any carbon monoxide alarm required by this Act is a
2 Class B misdemeanor.

3 (b) Tampering with, removing, destroying, disconnecting,
4 or removing the batteries from any installed carbon monoxide
5 alarm, except in the course of inspection, maintenance, or
6 replacement of the alarm, is a Class A misdemeanor in the case
7 of a first conviction, and a Class 4 felony in the case of a
8 second or subsequent conviction.

9 Section 20. Exemptions. The following residential units
10 shall not require carbon monoxide detectors:

11 (1) A residential unit in a building that: (i) does not
12 rely on combustion of fossil fuel for heat, ventilation, or
13 hot water, (ii) is not connected in any way to a garage,
14 and (iii) is not sufficiently close to any ventilated
15 source of carbon monoxide, as determined by the local
16 building commissioner, to receive carbon monoxide from
17 that source.

18 (2) A residential unit that is not sufficiently close
19 to any source of carbon monoxide so as to be at risk of
20 receiving carbon monoxide from that source, as determined
21 by the local building commissioner.".